



MATERIALS

FOR

THE LAW AND ECONOMICS OF COMPETITION POLICY

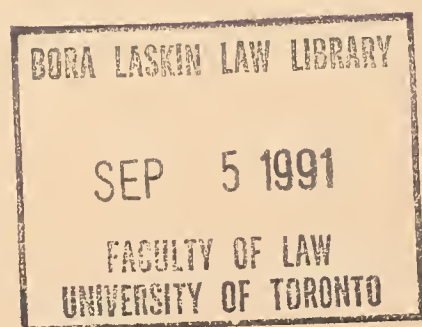
PROFESSORS NANCY GALLINI AND MICHAEL TREBILCOCK

VOLUME II

1991-1992

NOTE: These materials are not to be considered published, and this compilation is intended solely for teaching purposes.

1648
G3J5
1791
v. 2



MATERIALS

FOR

THE LAW AND ECONOMICS OF COMPETITION POLICY

PROFESSORS NANCY GALLINI AND MICHAEL TREBILCOCK

VOLUME II

1991-1992

NOTE: These materials are not to be considered published, and this compilation is intended solely for teaching purposes.



Printed on
Recycled Paper



Digitized by the Internet Archive
in 2018 with funding from
University of Toronto

https://archive.org/details/materialsforlawe02gall_1

TABLE OF CONTENTS

Volume I

WEEK I: INTRODUCTION

A. Welfare Economics and the Monopoly Problem

Posner, R., Antitrust Law: An Economic Perspective, (Chicago: University of Chicago Press, 1976), chap. 2, pp.8-22I-1

Williamson, O., "Economics as an Antitrust Defense: The Welfare Tradeoffs", 58 AER, March 1968, pp.18-36I-9

B. Goals of Antitrust

B. Dunlop, D. McQueen, and M. Trebilcock, Canadian Competition Policy: A Legal and Economic Analysis (Toronto: Canada Law Book, 1987), chap.4, pp.58-71I-28

Trebilcock, M., "The Evolution of Competition Policy: A Comparative Perspective", in M. Mathewson, M. Trebilcock and M. Walker, eds. The Law and Economics of Competition Policy (Vancouver: The Fraser Institute, 1990), chap.1, pp. 1-23I-35

WEEK II: MEASURING MARKET POWER AND DEFINING THE RELEVANT MARKET

Landes and Posner, "Market Power in Antitrust Cases", 94 HLR, March 1981, pp. 937-997II-1

Demsetz, H., "Barriers to Entry", 72 AER, March 1982, pp.47-57 (edited).....II-61

Baumol, W., "Contestable Markets: An Uprising in the Theory of Industry Structure", 72 AER, March 1982, pp.1-15 (edited)..II-72

Salop, S., "Measuring Ease of Entry", 31 Antitrust Bulletin, Summer 1986, pp.551-570II-86

United States v. Aluminum Company of America, 148 F. 2d 416 (2nd Cir. 1945) (edited).....II-106

United States v. E.I. duPont de Nemours and Company, 351 U.S. 377 (1956) (edited).....II-112

WEEK III: HORIZONTAL MERGERS I: ECONOMIC THEORY

- Warren-Boulton, F., "Implications of U.S. Experience with Horizontal Mergers and Takeovers for Canadian Competition Policy", in M. Mathewson, M. Trebilcock and M. Walker, eds. The Law and Economics of Competition Policy (Vancouver: The Fraser Institute, 1990) chap. 10, pp. 337-361III-1

WEEK IV: HORIZONTAL MERGERS II: THE LAW

- Director of Investigation and Research, Competition Act,
Merger Enforcement GuidelinesIV-1
- Salop, S. and J. Simons, "A Practical Guide to Merger Analysis",
29 Antitrust Bulletin, Winter 1984, pp. 663-703IV-72
- Affidavit, M. Trebilcock, DIR v. Imperial Oil Ltd., 1989IV-113

WEEK V: COLLUSION

- B. Dunlop, D. McQueen, and M. Trebilcock, Canadian Competition Policy: A Legal and Economic Analysis (Toronto: Canada Law Book, 1987),
chap. 6, pp. 111-151V-1
- Jacquemine, A. and M. Slade, "Cartels, Collusion and Horizontal Merger", ch. 7 in The Handbook of Industrial Organization,
North-Holland (edited).....V-22
- Wiley, J.S., "Antitrust and Core Theory", 54 University of Chicago Law Review, 1987, pp. 556-589V-47
- Debow, M., "Why Price Fixing is Wrong", 1988, Regulation, no.2,
pp.44-50.....V-81
- United States v. Sealy, Inc., 388 U.S. 350 (1967), as edited in
Breit, W. and K. Elzinga (eds), The Antitrust Casebook: Milestones in Economic Regulation (Dryden Press, 1982)V-88
- United States v. Topco Associates, Inc., 405 U.S. 596 (1972),
as edited in Breit, W. and K. Elzinga (eds), The Antitrust Casebook: Milestones in Economic Regulation (Dryden Press, 1982)V-90
- Atlantic Sugar Refineries Co. Ltd. et al. v. A.-G. Canada
(1980) S.C.C.V-94

TABLE OF CONTENTS

VOLUME II

WEEK VI: PREDATORY PRICING AND PRICE DISCRIMINATION

- McGee, "Predatory Price Cutting: The Standard Oil (N.J.) Case",
JLE, October 1958, pp.137-169VI-1
- Ordover and Saloner, "Predation, Monopolization, and Antitrust",
in The Handbook of Industrial Organization, North-Holland,
1987 (edited).....VI-33
- Areeda and Turner, "Predatory Pricing and Related Practices under
Section 2 of the Sherman Act", 88 HLR, Feb. 1975,
pp.697-733VI-80
- B. Dunlop, D. McQueen, and M. Trebilcock, Canadian Competition
Policy: A Legal and Economic Analysis (Toronto: Canada Law
Book, 1987) Chap. 8, pp.207-247.....VI-117
- Eddy Match Co. Ltd. et al. v. The Queen (1953)VI-158
- Regina v. Hoffmann-LaRoche Ltd (1980) 28 O.R. (2d) 164 (edited).VI-183
- Draft Guidelines - Predatory Pricing
(Bureau of Competition Policy, Canada, 1990)VI-217
- Discussion Paper - Price Discrimination
(Bureau of Competition Policy, Canada, 1990)VI-240

WEEK VII: VERTICAL RESTRAINTS: AN OVERVIEW

- Baxter, W., "Substitutes, Complements, and Contours of the Firm",
in M. Mathewson, M. Trebilcock and M. Walker (eds.) The Law
and Economics of Competition Policy, (Vancouver:
The Fraser Institute, 1990) , chap.2, pp.27-53VII-1
- B. Dunlop, D. McQueen, and M. Trebilcock, Canadian Competition
Policy: A Legal and Economic Analysis (Toronto: Canada Law
Book, 1987), chap.9, pp. 248-279VII-8
- Mathewson, G.F., and R.A. Winter, "An Economic Theory of Vertical
Restraints", in M. Mathewson, M. Trebilcock, and M. Walker
(eds.), The Law and Economics of Competition Policy,
(Vancouver: The Fraser Institute, 1990), chap. 5,
pp.109-141VII-40
- Salop, S. and T. Krattenmaker, "Exclusion and Antitrust", 1987,
Regulation, no.3/4, pp. 29-33VII-52

WEEK VIII: RESALE PRICE MAINTENANCE

- Telser, "Why Should Manufacturers Want Fair Trade", 3 JLE, Oct.
1960, pp.86-105VIII-1
- Easterbrook, "Restricted Dealing is a Way to Compete", 8 Regulation
Jan/Feb. 1984, pp.23-26VIII-21
- Pitofsky, "Why Dr. Miles was Right", 8 Regulation, Jan/Feb. 1984,
pp.27-30VIII-26
- Winter, R.A., "Vertical Control and Price versus Non-Price
Competition", University of Toronto, April 1991VIII-30
- Regina v. H.D. Lee of Canada, (1980) 57 C.P.R. 186VIII-57

TABLE OF CONTENTS

VOLUME III

WEEK IX: REFUSAL TO SUPPLY

Director of Investigation and Research v. Chrysler Canada Ltd.,
(1989) 27 C.P.R. (3d) 1, (Competition Tribunal) (edited)...IX-1

Director of Investigation and Research v. Xerox Canada Inc.,
(1990) 33 C.P.R. (3d) 83, (Competition Tribunal) (edited)..IX-29

WEEK X: EXCLUSIVE DEALING

Marvel, "Exclusive Dealing", 25 JLE, April 1982, pp.1-25X-1

Trebilcock, M., The Common Law of Restraint of Trade: A Legal and
Economic Analysis (Toronto: Carswell, 1986), pp. 170-182 ..X-25

Standard Oil Co. of California (Standard Station) v. U.S.
337 U.S. 293 (1949)X-38

Director of Investigation and Research v. Bombardier Ltd.,
(1980) 53 C.P.R. (2d) 47 (edited).....X-69

WEEK XI: TYING

Stigler, "A Note on Block Booking", in The Organization of Industry,
1968, pp. 165-170XI-1

Whinston, M., "Tying, Foreclosure, and Exclusion", 80 AER,
Sept. 1990, pp. 837-859 (edited).....XI-4

Mathewson, G.F. and R.A. Winter, "Tied Sales and Leverage",
University of Toronto, Draft, August 7, 1991XI-16

R.T.P.C. v. D.I.R. v. BBM Bureau of Measurement, (1981) 60
C.P.R. (2d) 26XI-37

WEEK XII: OTHER FORMS OF ABUSE OF DOMINANT POSITION

- Director of Investigation and Research v. NutraSweet Co.,
(1990) 62 C.P.R. (3d) 1 (edited).....XII-1
- Collins, P., "The Law and Economics of the 'Abuse of Dominant
Position': An Analysis of Nutrasweet", Forthcoming UTLR....XII-59
- Thompson, D.N., "Nutrasweet: The Evolution of Law on Abuse of
Dominant Position", 18 CBLJ pp. 17-42XII-92

WEEK XIII: SUMMARY AND CRITIQUE OF COMPETITION POLICY

- Hovenkamp, "Antitrust Policy After Chicago", 84 MLR, Nov. 1988,
pp. 213-284XIII-1
- Schmalensee, "Antitrust and the New Industrial Economics", AER,
May 1982, pp.24-28XIII-38
- Demsetz, "100 Years of Antitrust: Should We Celebrate?", Brent T.
Upson Memorial Lecture, George Mason University School of Law,
Law and Economics Centre, 1991XIII-43

SUPPLEMENT

Competition Act 1986

WEEK VI: PREDATORY PRICING AND PRICE DISCRIMINATION

- McGee, "Predatory Price Cutting: The Standard Oil (N.J.) Case",
JLE, October 1958, pp.137-169VI-1
- Ordover and Saloner, "Predation, Monopolization, and Antitrust",
in The Handbook of Industrial Organization, North-Holland,
1987 (edited).....VI-33
- Areeda and Turner, "Predatory Pricing and Related Practices under
Section 2 of the Sherman Act", 88 HLR, Feb. 1975,
pp.697-733VI-80
- B. Dunlop, D. McQueen, and M. Trebilcock, Canadian Competition
Policy: A Legal and Economic Analysis (Toronto: Canada Law
Book, 1987) Chap. 8, pp.207-247.....VI-117
- Eddy Match Co. Ltd. et al. v. The Queen (1953)VI-158
- Regina v. Hoffmann-LaRoche Ltd (1980) 28 O.R. (2d) 164 (edited).VI-183
- Draft Guidelines - Predatory Pricing
(Bureau of Competition Policy, Canada, 1990)VI-217
- Discussion Paper - Price Discrimination
(Bureau of Competition Policy, Canada, 1990)VI-240

